

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KELLEY TROY COOLEY, Plaintiff,)	
)	
v.)	C.A. No. 11-99 Johnstown
)	
DOCTOR RICHARD ZEWE, DMD, et al,)	
Defendants.)	

MEMORANDUM ORDER

This prisoner civil rights action was received by the Clerk of Court on April 19, 2011, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, (Docket No. [88]), filed on September 11, 2013, recommended that this case be dismissed for Plaintiff's failure to prosecute. Service was made on Plaintiff by mail at the last known address listed on the docket, and on Defendants. No objections were filed. After de novo review of the petition and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 2nd day of October, 2013;

IT IS HEREBY ORDERED that this case is DISMISSED for Plaintiff's failure to prosecute.

The report and recommendation of Magistrate Judge Baxter, dated September 11, 2013, is adopted as the opinion of the court.

IT IS FURTHER ORDERED that the Clerk of Court is directed to mark this case CLOSED.

s/Nora Barry Fischer
NORA BARRY FISCHER
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

KELLEY TROY COOLEY
1358 Buffalo Road
Apt. #2
Erie, PA 16503

cc/ecf: All counsel of record _____